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**UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN SECTOR**

Larry Meitzner  
*Plaintiff*

Judge

v.

Magistrate Judge

The City of Sterling Heights, MI  
&

Mark Vanderpool  
*Defendants*

Case No. 2:21-cv-12169

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**MOTION FOR RE-ASSIGNMENT**

TO CHIEF JUDGE SEAN COX

The Plaintiff, Larry Meitzner, (Meitzner), has sent Judge Drain a Motion to Recuse himself from the above titled action; this will require the assignment of a new judge.

**ARE YOU UP TO THE CHALLENGE?**

Meitzner asks, since this action has become bulk delivery of worms: the original filing was returned with the summons not signed nor embossed with the Court's seal. Meitzner sent the Summons to Chief Judge Hood, requesting she shepherd the process. No response. A second submission to the Clerks' office went unanswered. A follow-up

letter got the Summons on the docket, but the two copies returned to Meitzner were signed but not embossed with the Court's seal.

Perhaps a random assignment would get Meitzner an unbiased judge, but, there sits the possibility the new judge would harbor ill feelings that Meitzner had forced Judge Drain from the case. While the Plaintiff has no knowledge of your rulings, he chances on your new position.

In a subsequent action to this case, 2:22-cv-10131, (former) Chief Judge Hood re-assigned the action from Judge Berg to Judge Drain. The strange part is while the act was recorded on the docket, the Plaintiff never received notification from the Court of the change; this is one of the reasons the Plaintiff asked Judge Drain to recuse himself.

In the agricultural community, we would express our feelings as that you have a long row to hoe. Perhaps mine is an isolated instance. Meitzner points out *Schnexnader v. Vannoy* down in the Court of Appeals for the Fifth Circuit where the clerks were summarily rejecting all pro se appeals. A Wikipedia article stated that in the United States Supreme Court terms 2008 – 2013, of the 25 cases accepted by the Court from the Sixth Circuit, 24 of the 25 were reversed.

Meitzner expressed an opinion at the end of the Letter to Chief Judge Hood:

EQUAL JUSTICE UNDER LAW IS FALSE ADVERTISING

ACCCEPT THE CHALLENGE AND PROVE ME WRONG.

Larry Meitzner  
44496 Sterritt  
Sterling Heights, MI  
48314  
(989) 351 - 8204

In *Anderson v. True* 15-cv-11703, Judge Drain rejected Dexter Anderson's allegation of retaliation is a viable action:

*Murphy v. Lane* 833F. 2d 106 (1987 7<sup>th</sup> Cir.)

*Cain v. Lane* 857 F. 2d 1139 (1988 7<sup>th</sup> Cir.)

*Thaddeus v. Blatter* 95 – 1837 (6<sup>th</sup> Cir.)

*Walker v. Bain* 257 F. 3d 660 (2001 6<sup>th</sup> Cir.)

*Powell v. City of Pittsfield* 221 F. Supp. 2d 119

Dexter Anderson was a Pro se Plaintiff. See: *Schnexnader*, above.

**cc:** Nathan Petusak

